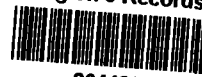




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



264482

REPLY TO THE ATTENTION OF

November 21, 2002

Mr. Mark A. Latham
Gardner, Carton & Douglas
312 N. Clark Street
Suite 3400
Chicago, Illinois 60610

Re: Ellsworth Industrial Park Site
Downers Grove Sanitary District

Dear Mr. Latham:

Thank you for your letter dated October 28, 2002, asking me to clarify certain comments from the United States Environmental Protection Agency (U.S. EPA) concerning the Sampling Plan proposed by the Downers Grove Sanitary District (DGSD).

Those comments were meant to make clear that despite the design and intent of the Sampling Plan, the data may not fully absolve the sludge lagoon area as a potential source area. This could require further sampling and information gathering before DGSD's status could be resolved. We discussed at length the fact that Superfund investigation often winds up as an iterative process, even if the parties plan and hope for a clear and convincing initial result.

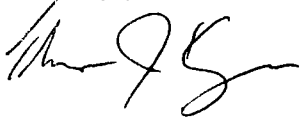
You also state in your letter an understanding that the sludge lagoons are the only possible source on DGSD property. It should be noted, however, that U.S. EPA's contractor was unable to sample the old lagoon area to determine whether it is a potential source area. You are correct that concerns regarding that area are speculative at this time, but further investigation could be necessary to rule out that area as a potential source.

I will not attempt to address your statement of facts at the present time, as the sampling results may make such a discussion irrelevant.

The U.S. EPA appreciates DGSD's efforts to move forward in good faith to develop important information concerning its status and potential role at the Site. We recognize that even if hazardous substances are present at DGSD's facility, DGSD did not generate those hazardous substances, placing it in a unique circumstance that U.S. EPA would take into account in any future evaluation of the case.

Please feel free to contact me if you have any further questions or concerns.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Thomas J. Krueger', written in a cursive style.

Thomas J. Krueger
Associate Regional Counsel

cc: Mazin Enwiya, U.S. EPA